

ALLEGED SHIPMENT: On or about October 17 and December 6, 1949, by Muscle-Rub Distributors, from Los Angeles, Calif.

PRODUCT: *Muscle-Rub*. 79 2-ounce bottles, 28 6-ounce bottles, and 24 12-ounce bottles at Denver, Colo., together with a leaflet attached to each bottle entitled "Muscle-Rub" and one clipping from the January 9, 1950, edition of The Denver Post.

RESULTS OF INVESTIGATION: The newspaper clipping was on display in the store of the consignee.

LABEL, IN PART: (Bottle) "Muscle-Rub Contains Isopropyl Alcohol 75% Ethyl Alcohol 1.8% Methyl Salicylate, Camphor, Menthol and Fld. Ext. Witch Hazel."

NATURE OF CHARGE: Misbranding, Section 502 (a) the following statements on the bottle labels and in the leaflets were false and misleading since the article was not effective in the treatment of the conditions stated and implied: (Bottle) "Use as an aid in the Relief of Pain and Discomfort from Rheumatism, Arthritis, Neuralgia, Sciatica" and (leaflet) "Glorious Aid in the Relief of Pain and Discomfort from Rheumatism, Arthritis, Neuralgia, Sciatica." The article was misbranded in the above respects when introduced into and while in interstate commerce.

Further misbranding, Section 502 (a), the following statements in the newspaper clipping were false and misleading since the article was not effective in the treatment of the conditions stated and implied: "to quickly relieve the pains of Rheumatism, Arthritis, Neuritis, Lumbago, Sore Lame Muscles Why suffer another day from the agony of these painful ailments? Prove free that you can get miraculous relief in just a few minutes from rheumatic pains, muscle soreness, sprains, as well as serious lameness of muscles and joints. * * * The entire Muscle-Rub treatment is a penetrating, blood-stimulating liquid applied directly to the limbs, shoulders, neck, face or back—wherever you are suffering pain. You get action right away. Pain is usually relieved in just a few minutes * * * Rheumatism Pains Relieved in Few Minutes * * * quick relief from agonizing pains. 50-Year-Old Los Angeles Lady Says Muscle-Rub is Godsend. 'I've had rheumatism many years and have suffered awfully from sharp pains. Sometimes I couldn't move. I hurt so. Six years ago I discovered Muscle-Rub and got blessed relief at last.' 'Thank God for Muscle Rub,' says California Rheumatic Sufferer. 'I read your ad and bought Muscle-Rub. I have tried everything I could buy but could not raise my right arm until I used Muscle-Rub. I am a carpenter so you see how I suffered. Thank God I found Muscle-Rub and got relief. I feel fine, working every day and I am 61 years old.'"

The article was misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: January 16, 1951. The libel proceedings having been removed for trial to the Northern District of California, and the claimant, Muscle-Rub Distributors, having failed to file an answer, judgment of condemnation was entered and the court ordered that the product be destroyed.

3355. Misbranding of Ipsab Gum Massage. U. S. v. 3 Bottles, etc. (F. D. C. No. 30248. Sample No. 11029-K.)

LIBEL FILED: November 13, 1950, Southern District of New York.

ALLEGED SHIPMENT: During 1948 and 1949, from Norfolk, Va.

PRODUCT: 3 1-gallon bottles and 17 cartons, each carton containing 1 1-ounce bottle, of *Ipsab Gum Massage* at New York, N. Y., in possession of Ipsab Distributors.

RESULTS OF INVESTIGATION: The article in the cartons was repackaged and labeled by the consignee after it had been originally shipped in gallon bottles as described above. A circular entitled "Your Mouth" was included in each 1-ounce carton. The consignee also had on hand an additional number of the circulars and a number of bottle and carton labels.

LABEL, IN PART: (Carton) "Original Formula Ipsab gum massage * * *
Ingredients: Atomic Iodine, Calcium Chloride, Sodium Chloride, Prickly Ash Bark, Essence of Peppermint."

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the article in the bottles and in the cartons contained false and misleading statements. The statements represented and suggested that the article was an adequate and effective treatment for sore, tender, bleeding, and spongy gums, gingivitis, pyorrhea, ulcerations of the mouth, gum boils, canker sores, loose teeth, and receding gums, and that it would increase circulation, strengthen tissues, and keep gums in healthy condition. The article was not an adequate and effective treatment for such conditions, and it was not capable of fulfilling the promises of benefit stated and implied. The article was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: January 18, 1951. Default decree of condemnation and destruction.

3356. Misbranding of hair and scalp oil. U. S. v. 24 Dozen Jars, etc. (F. D. C. No. 30455. Sample No. 85101-K.)

LIBEL FILED: December 28, 1950, Southern District of Ohio.

ALLEGED SHIPMENT: On or about July 24, 1950, from Camden, N. J.

PRODUCT: 24 dozen 1½ ounce jars of *hair and scalp oil* at Cincinnati, Ohio, in the possession of the Avenue Beauty Shoppe, together with a number of labels reading "Gro-Aid Hair and Scalp Oil 1½ ounces Distributors Parrish Products Company, 608 W. Fifth Street, Cincinnati 3, Ohio." A portion of the jars were labeled with the above label.

RESULTS OF INVESTIGATION: This product was shipped unlabeled, but a portion was labeled by the consignee, the Avenue Beauty Shoppe, after shipment. Analysis showed that the product consisted essentially of petrolatum and methyl salicylate.

NATURE OF CHARGE: Misbranding, Section 502 (a), the label designation "Gro-Aid Hair and Scalp Oil" was false and misleading since the article would not be effective in promoting the growth of hair. The product was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: January 29, 1951. The Avenue Beauty Shoppe, claimant, having admitted the allegations of the libel, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled, under the supervision of the Food and Drug Administration.